

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

ANTIMUS DAVIS,

Plaintiff,

vs.

UNKNOWN MOODY, et al.,

Defendants.

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Case No. 4:10-CV-2312-JCH

ORDER

This matter is before the Court on plaintiff's notice of appeal. Plaintiff has not paid the appellate filing fee, and this Court will not permit plaintiff to proceed in forma pauperis on appeal because it has certified that an appeal in this case would not be taken in good faith. See 28 U.S.C. § 1915(a)(3). As a result, the Court will order plaintiff either to pay the \$455 appellate filing fee or to file a motion in the United States Court of Appeals for the Eighth Circuit for leave to proceed in forma pauperis.

Accordingly,

IT IS HEREBY ORDERED that plaintiff shall, within thirty (30) days of the date of this Order, either pay the \$455 appellate filing fee or file a motion in the United States Court of Appeals for the Eighth Circuit for leave to proceed in forma pauperis.

IT IS FURTHER ORDERED that plaintiff shall file any future documents or pleadings in connection with his appeal directly with the United States Court of Appeals for the Eighth Circuit.

Dated this 9th day of May, 2011.

/s/ Jean C. Hamilton

JEAN C. HAMILTON

UNITED STATES DISTRICT JUDGE